

85th Legislative Session – 2010

Committee: Senate State Affairs

Monday, March 01, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Abdallah
P Hanson (Gary)
P Heidepriem
P Knudson
P Olson (Russell)
P Rhoden
P Turbak Berry
P Gray, Vice-Chair
P Dempster, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Thomas Dempster, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY FEBRUARY 24, 2010

Moved by: Hanson (Gary)
Second by: Gray
Action: Prevailed by voice vote.

HB 1018: revise certain provisions regarding unemployment insurance benefit eligibility of part-time workers and to provide additional unemployment insurance benefits to workers attending approved training.

Presented by: Pam Roberts, Secretary, Department of Labor
Proponents: David Owen, SD Chamber of Commerce & Industry
Paul Aylward, SD AFSCME 59 Dakotas Public Employees Union

MOTION: AMEND HB 1018

On page 2 of the House engrossed bill, delete line 24.

Moved by: Heidepriem
Second by: Abdallah
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1018 AS AMENDED

Moved by: Knudson
Second by: Rhoden
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak Berry, Gray, Dempster

HB 1036: create a licensing category for the owners of property where licensed gaming is conducted in the city of Deadwood.

Presented by: Larry Eliason, SD Commission on Gaming
Proponents: Mike Shaw, SD Commission on Gaming
Opponents: Ron Island, self, Deadwood
Senator Thomas Nelson

MOTION: DO PASS HB 1036

Moved by: Knudson
Second by: Gray
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1036 TO THE 41ST LEGISLATIVE DAY

Moved by: Abdallah
Second by: Turbak Berry
Action: Failed by roll call vote. (3-6-0-0)

Voting Yes: Abdallah, Hanson (Gary), Turbak Berry

Voting No: Heidepriem, Knudson, Olson (Russell), Rhoden, Gray, Dempster

MOTION: DO PASS HB 1036

Moved by: Knudson

Second by: Gray

Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: Heidepriem, Knudson, Olson (Russell), Rhoden, Gray, Dempster

Voting No: Abdallah, Hanson (Gary), Turbak Berry

HB 1041: revise certain provisions concerning the application and administration of the cigarette tax and to repeal certain requirements concerning cigarette stamps.

Presented by: Mike Kenyon, Department of Revenue & Regulation

Proponents: Jeremiah D. Murphy, McLane Company

Opponents: John Job, Amcon Distributing Company
Bill Bailey, Amcon Distributing Company
Jim Maxon, Self, Chamberlain
Bill Wehrkamp, Self, Sioux Falls
Ted Stessman, Self, Omaha

MOTION: AMEND HB 1041

1041fi

On the House engrossed bill, delete everything after the enacting clause and insert:

" Section 1. That § 10-50-18 be amended to read as follows:

10-50-18. The secretary of revenue and regulation shall secure stamps, of the design and denomination as the secretary prescribes, suitable to be affixed to packages of cigarettes as evidence of the payment of the tax imposed by this chapter. The secretary shall sell the stamps to licensed distributors at a discount of ~~two percent~~ one cent off of their face value and to no other person.

Section 2. That § 10-50-18 be amended to read as follows:

10-50-18. The secretary of revenue and regulation shall secure stamps, of the design and denomination as the secretary prescribes, suitable to be affixed to packages of cigarettes as evidence of the payment of the tax imposed by this chapter. The secretary shall sell the stamps to licensed distributors at a discount of ~~two~~ one percent of their face value and to no other person.

Section 3. The provisions of section 2 of this Act are effective on July 1, 2012."

Moved by: Rhoden
Second by: Knudson
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1041 AS AMENDED

Moved by: Rhoden
Second by: Gray
Action: Prevailed by roll call vote. (6-3-0-0)

Voting Yes: Knudson, Olson (Russell), Rhoden, Turbak Berry, Gray, Dempster

Voting No: Abdallah, Hanson (Gary), Heidepriem

MOTION: AMEND TITLE OF HB 1041

1041ftd

On page 1, line 1, of the House engrossed bill, delete everything after "to" and insert "revise the discount on the sales of cigarette tax stamps to distributors.".

On page 1, delete lines 2 and 3, inclusive.

Moved by: Gray
Second by: Knudson
Action: Prevailed by voice vote.

HB 1061: revise certain provisions regarding organization and operation of the public entity pool for liability.

Presented by: Neil Fulton, Governor's Office

MOTION: DO PASS HB 1061

Moved by: Knudson
Second by: Olson (Russell)
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak
Berry, Gray, Dempster

MOTION: PLACE HB 1061 ON CONSENT CALENDAR

Moved by: Olson (Russell)
Second by: Gray
Action: Prevailed by voice vote.

HB 1192: establish an ethanol blender pump incentive grant program, to make an appropriation therefor, and to declare an emergency.

Presented by: Representative Mitch Fargen
Proponents: Senator Dave Knudson
Neil Fulton, Governor's Office
Orrin Swayze, Self, Wilmot (Handouts: Doc. 1)
Harry Christianson, Ethanol Producers of SD
Mathew McCaulley, SD Corn Growers
John Kerstiens, SD Farmers Union
Dawna Leitzke, SD Petroleum & Propane Marketers Association
Brenda Forman, SD Association of Cooperatives

MOTION: DO PASS HB 1192

Moved by: Knudson
Second by: Olson (Russell)
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak
Berry, Gray, Dempster

HB 1263: revise certain provisions relating to the terms of wind easements and wind energy leases.

Presented by: Senator Larry Rhoden
Proponents: Senator Russell Olson
Representative Kristi Noem
Representative Val Rausch
Representative Mitch Fargen
Darla Pollman-Rogers, SD Rural Electric Association
Matt McCaulley, Titan Wind (Handouts: Doc. 2)
Bob Sahr, East River Electric

Opponents: John Kerstiens, SD Farmers Union
Michael Melius, South Dakota Chapter of the Sierra Club
Brett Koenecke, Iberdrola Renewables

MOTION: DO PASS HB 1263

Moved by: Heidepriem
Second by: Rhoden
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Abdallah, Hanson (Gary), Heidepriem, Knudson, Olson (Russell), Rhoden, Turbak
Berry, Gray, Dempster

MOTION: ADJOURN

Moved by: Rhoden
Second by: Olson (Russell)
Action: Prevailed by voice vote.

Cheri Hauschild
Committee Secretary

Thomas A. Dempster, Chair